REMARKS

Reconsideration of the application is respectfully requested.

I. Status of the Claims

Claims 1, 2, 7, 9-10, 14, and 19-20 are pending.

Claims 3-6, 8, 11-13, 15-18, and 21-22 were previously canceled without prejudice or disclaimer of the subject matter therein.

With this Response, claims 1, 7, 10, 14 and 19 are amended, and new claims 23 - 26 are added. No new matter is introduced. Support for the amendments may be found, for example, with reference to Applicant's specification at page 12, line 25 through page 15, line 28; page 19, line 25 through page 21, line 1; and page 21, line 10 through page 22, line 5.

II. Examiner Interview

Applicants thank Examiner Bruckart for holding a telephonic interview with Applicants' representative on May 22, 2007 to discuss Applicants' invention in view of the cited prior art. The Examiner's comments were quite helpful, and are reflected in the amendments to the claims and associated discussion provided in this response.

III. Consideration of Information Disclosure Statement

Information Disclosure Statements were filed in the present application on February 25, 2005 and June 21, 2005.[1] To date, Applicant has not received confirmation that the six references cited in the IDS of June 21, 2005 have been considered by the Examiner. A copy of this IDS as filed is enclosed with the Response for the Examiner's convenience. Applicant respectfully requests that the Examiner provide Applicant with written confirmation that the references cited in the IDS of June 21, 2005 have been considered.

IV. Rejections under 35 U.S.C. § 112

Claim 1 is rejected under the second paragraph of 35 U.S.C. § 112 as being indefinite. Specifically, the Examiner finds that the pronoun "it" in the term "at the time it is displayed" is "not well defined" and is "confusing and unclear [as to] how something to be displayed is accessed and retrieved while 'at the same time' [it is] being displayed." Applicant amends claim 1 to delete this term, and respectfully requests that the rejection of claim 1 under the second paragraph of 35 U.S.C. § 112 be withdrawn.

V. Rejections under 35 U.S.C. § 103

[1] Copies of these IDSs are present in the USPTO database.

Claims 1, 2, 7, 9, 14, 19 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,089,194 to Berstis et al. ("Berstis") in view of U.S. Patent No. 6,300,936 to Braun et al. ("Braun") and U.S. Patent No. 6,880,123 to Landsman et al. ("Landsman"). Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Berstis in view of Braun, Landsman and U.S. Patent No. 5,740,549 to Reilly et al. ("Reilly"). Applicant amends claims 1, 7, 10, 14 and 19 to further characterize the nature of his invention, and respectfully traverses these rejections.

In independent claim 1, Applicant claims:

1. An information delivery system, comprising:

a computer terminal; and

an information provider server,

wherein said computer terminal and said information provider server are connected with each other via a network;

wherein said information provider server transmits content having an information receiving program or a tag for an information receiving program to said computer terminal in response to being accessed by said computer terminal,

wherein said computer terminal executes a plurality of tasks, including a browser application, in a plurality of application windows simultaneously displayed on the computer terminal, and the content is displayed by the browser application in one window of the plurality of windows;

wherein said computer terminal accesses and retrieves delivery information from a predetermined server via the network by the browser application, and without changing information displayed in other windows of the plurality of windows, automatically displays the delivery information in the one window, in the case where, after said browser application displays the content in the one window, it is judged that an entering operation is not executed in the one window for a

predetermined period of time by said information receiving program or the information receiving program obtained by the tag, even when an entering operation is executed in the other windows during the predetermined period of time; and

wherein said information receiving program is terminated when an entering operation is executed in the one window to access information other than the content transmitted by the information service provided or to close the one window.

(Emphasis added).

Applicant's invention, as claimed for example in amended independent claim 1, is a "browser saver" that receives information when the user is not using his or her browser, and displays the information even though the user is using other applications. The displayed information may for example be an advertisement.

According to the invention as claimed in amended independent claim 1, the user operates his or her computer in a multitasking environment displaying a plurality of application windows, in which the user actively works in one application window at a time. When the user switches from the browser application to another application, the claimed information receiving program (that was transmitted to the user by an information provider server) monitors the period of time during which "entering operations" are suspended in the browser window. When this period of suspension exceeds a predetermined time period, an information receiving program causes the received information (e.g., advertisements) to be displayed in the browser window.

This browser saver differs from a conventional screen saver in a multitasking computer environment, which is directed to monitoring inactivity in all open applications. In the conventional screen saver, the screen saver is activated when none of the applications are active.

However, because the user is often no longer in front of the terminal at this time, the conventional screen saver is not often observed by the user.

In sharp contrast, according to the present invention, the displayed information for the browser server in the inactive browser window is usually playing in the background while the user is active in another window opened on the computer display, thus increasing the chances that the user will see the information displayed in the browser window.

According to the present invention, when the user returns to the browser application to execute another entering operation to access information other than the content originally transmitted by the information service provider or to close the one window. the computer terminates display of the advertisement, and terminates the information receiving program used for retrieving and displaying the advertisements. In other words, the information receiving program does not remain resident in the computer, but is freshly retrieved each time the user operates the browser application to access content from the information provider server to be displayed by the browser application. Significantly, this claimed approach eliminates any need for the user to install new versions of the information receiving program over time, as new versions are automatically provided with the next request for information content from the information provider server (see, e.g., page 4, lines 4 - 7 of Applicant's specification).

Berstis is directed to a method and apparatus for targeting advertisements by a server to a specific client computer via a network (see, e.g., abstract and FIG. 1 of Berstis). During periods

of inactivity in a browser application, advertisements may be displayed on a display device of the client computer (see, e.g., Col. 10: 67 - Col. 11: 3 of Berstis).

The Examiner acknowledges that Berstis fails to disclose a multitasking environment in which the browser application is displayed without changing information displayed in others in a plurality of display windows, but suggests that this element of Applicant's claimed invention is disclosed by Braun (see, e.g., Col. 2: 10 - 25 of Braun). The Examiner further acknowledges that Berstis and Braun fail to disclose that the advertisements are retrieved at the client computer during the inactive periods ("at the time it is displayed")[2], but suggests that this feature is disclosed by Landsman (see, e.g., Col. 5: 26 - 36 of Landsman).

Applicant however respectfully submits that none of the cited references disclose or otherwise suggest the features claimed in amended claim 1 that provide for an information provider server to transmit content having an information receiving program (or a tag for an information receiving program) to a browser application in response to an access request, and for the browser application to terminate the information receiving program when an entering operation is executed in the one window to access information other than the content transmitted by the information service provided or to close the one window.[3] While Landsman for example

[2] In the present Response, Applicant amends independent claim 1 to eliminate this limitation.

[3] Applicants, for example, make reference to page 15, lines 25 - 27 of Applicants' specification, which states:

> Thereafter, by disconnection of the Web browser 20 and the information provider server 14, the subroutine of the [information receiving program] is terminated."

As an HTTP "connection" as is provided by a browser application is essentially a "stateless" connection, the browser is effectively "connected" to an information provider server for the time during which information content of the information provider server is displayed in a window of the browser application, and is "disconnected" at that time that the user enters a command to retrieve the content of another web page (e.g., specifies another URL not associated with the content provided by the information provider server), or simply

discloses that an agent may be downloaded to a browser application in a web content request, for downloading advertising files to the browser application, Landsman provides that the agent is "persistent," and can be cached to resume the display of advertisements after a current display has been terminated (see, e.g., Col. 9: 51 through Col. 10: 67 of Landsman).

On at least this basis, Applicant respectfully submits that amended independent claim 1 is not obvious in view of Berstis, Braun, and Landsman, and therefore stands in condition for allowance. As amended independent claims 7, 14, and 19 each essentially include the above-argued elements of allowable independent claim 1, Applicant reapplies the above arguments and submits that amended independent claims 7, 14 and 19 are non-obvious in view of Berstis, Braun, and Landsman. Accordingly, Applicant further submits that amended independent claims 7, 14 and 19 stand in condition for allowance.

As claims 2, 9, 10 and 20 each depend from one of allowable independent claims 1, 7 and 19, Applicants in addition submit that dependent claims 2, 9, 10 and 20 are also allowable for at least this reason.

Therefore, Applicant respectfully requests that the rejection of claims 1, 2, 7, 9, 10, 14, 19 and 20 under 35 U.S.C. § 103 be withdrawn.

VI. New Claims

closes the browser window entirely. In other words, according to Applicants' claimed invention, the information receiving program that is attached to a web page delivered to the browser application by the information server provider is terminated ("disappears") when display of that web page is terminated by the user's command to retrieve another web page or to close the window of the browser application.

Applicant adds new claim 23, which depends from allowable independent claim 1, and new claims 24 - 26, which depend from allowable independent claim 19. For at least this reason, Applicant respectfully submits that new claims 23 - 26 are allowable. Applicant also submits that new claims 23 - 26 are allowable on additional grounds.

For example, new claim 23 claims:

> **23.** The information delivery system according to claim 1, wherein said information receiving program includes:
>
> a category specifying function that specifies a category for which a user desires to obtain the alternate content; and
>
> a writing function that writes information regarding the category specified by said category specifying function into a cookie as user information, said cookie being transmitted to the information provider server by said browser application when said browser application accesses said information provider server.

(Emphasis added).

In order that advertisements of likely interest may be presented to the user, the invention claimed in new dependent claim 23 enables the user to select a category of interest, and then writes user information indicating the category of interest to an Internet cookie of the browser (see, e.g., page 19, line 26 through page 21, line 1 of Applicant's specification). Unless disabled by the user, the cookie is transmitted to an information provider server by the browser application each time the browser application accesses the information provider server to download a web page.

The Examiner acknowledges that Berstis, Braun and Landsman fail to disclose an information delivery system that provides for specifying a category for which a viewer desires to

obtain advertising information by use of a category specifying function of the information receiving program, and for writing information by a writing function of the information receiving program that indicates the specified category, but suggests that these features are taught by Reilly (see, e.g., Col. 7: 13 - 21 of Reilly)[4].

Applicant submits that Reilly however fails to teach or suggest the elements of new claim 23 that require the category information to be written by the information receiving program to an Internet cookie as user information that may be transmitted to an information provider server by the browser application when the browser application accesses the information provided server to obtain a Web page.

In sharp contrast to Applicant's claimed invention, neither Reilly nor any of the other cited references teach or suggest the use of Internet cookies as a mechanism for recording and conveying information between a computer terminal and an information service provider with regard to categories of information to be automatically retrieved and displayed in a browser application window during idle periods of time during which no entering operations are executed in the browser application. By employing Internet cookies as a mechanism for specifying the categories of advertising information to be displayed, Applicant's claimed system provides an efficient mechanism for retaining the specified category information, and enables category information to be independently and securely specified and retained for each of a plurality of

[4] In the present Office Action, the Examiner makes this suggestion in reference to claim 10.

information provider servers identified with different Internet domains (see, e.g., page 20, lines 22 - 31 of Applicant's specification.

For these additional reasons, Applicant respectfully submits that new claim 23 is not obvious in view of the cited reference, and therefore stands in condition for allowance. As claim 24 includes essentially the same claim elements above-argued as distinguishing claim 23 over the cited references, and claims 25 and 26 depend from claim 24, Applicant further submits that claims 24 - 26 are also allowable for the above-argued additional reasons.

CONCLUSION

Therefore, in view of the above amendments and remarks, it is respectfully requested that a Notice of Allowance as to all pending claims be issued in this case.

If there are any other issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

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Respectfully submitted,

By 

Thomas J. Bean
Registration No.: 44,528
DARBY & DARBY P.C.
P.O. Box 5257
New York, New York 10150-5257
(212) 527-7700
(212) 527-7701 (Fax)
Attorneys/Agents For Applicant